

Submitted July 13, 2016
Approved as of
Date July 13, 2016

**MINUTES OF THE ROCKVILLE PLANNING COMMISSION
MEETING NO. 09-2016
Wednesday, May 11, 2016**

The City of Rockville Planning Commission convened in regular session in the
Mayor and Council Chambers at 7:00 p.m.
Wednesday, May 11, 2016

PRESENT

Charles Littlefield, Chair
Anne Goodman Jack Leiderman
Don Hadley Gail Sherman
David Hill John Tyner, II

Present: Andrew Gunning, Deputy Director
Cynthia Walters, Deputy City Attorney
Jim Wasilak, Chief of Zoning
Deane Mellander, Zoning Administrator

I. EXECUTIVE SESSION

Convene in Open Session to vote on motion to go into Executive Session pursuant to Section 3-305(b)(7) of the General Provisions Article of the Annotated Code of Maryland to consult with counsel to obtain legal advice regarding Text Amendment Application TXT2016-00244.

Commissioner Leiderman moved, seconded by Commissioner Hadley, to go into Executive Session to obtain legal advice regarding Text Amendment Application TXT2016-00244. The motion passed, 6-1 (Commissioner Hill voted no). The Executive Session was held in the Red Maple Conference Room in the Rockville City Hall.

II. RECOMMENDATION TO MAYOR AND COUNCIL

Zoning Text Amendment TXT2016-00244 - to allow the installation of small cell wireless antennas in all zones with a limitation on antenna size and with a minimum height of 15 feet; Verizon, dba Cellco, applicant.

The Planning Commission reconvened in the Mayor and Council chambers at about 7:25 p.m.

Deane Mellander, Zoning Administrator, presented the staff report regarding the proposed zoning text amendment, identifying areas where the staff recommendation differs from the request by Verizon, mostly in terms of size and limitations within residential areas. He answered questions from the Commission, including whether other service providers would be able to install microcell antennae under this provision; how the county and Gaithersburg evaluated proposed regulations in their jurisdictions; impact within residential areas; how condominium buildings should be

addressed; and the height and size of antennae and equipment installation.

Cathy Borten, attorney representing the applicant (Verizon), presented their request and answered questions from the Commission. She expressed that the 3 foot antennae size recommended by staff will not work, and that Verizon would like to have the original request of 4 ½ feet recommended instead.

Jose Espino, senior radio frequency engineer with Verizon, addressed the Commission regarding numerous technical, coverage and installation issues. He indicated that Rockville was being approached instead of the county at this point due to the need for addition capacity in Rockville.

Mike Weiland, land use planner with Verizon, addressed the Commission and answered questions from the Commission.

The following residents offered public testimony:

Nadia Azumi, a West End Citizens' Association block captain, spoke in opposition to the amendment. She felt that notification was not adequate, and that there would be significant impacts to property values, trees and other effects throughout residential areas.

Noreen Bryan, president of WECA, spoke in opposition and expressed there has been a lack of transparency and public notice, as well as a lack of technical expertise on behalf of the city to evaluate this amendment.

The Commission discussed a number of issues: a distributed system vs. large installations; possible coordination with other service providers; limits within residential areas; trends with the technology; technical expertise available at the county to assist; safety of the equipment; and equity of service being provided.

Following discussion by the Commission, Commissioner Leiderman moved to table the request, which was seconded by Commissioner Goodman. The motion passed 4-3 (Commissioners Hill, Littlefield and Tyner voted no). The Commission indicated that technical expertise should be sought, including from the county and possibly Gaithersburg given their recent changes in this area.

III. Commission Items

- A.** Staff Liaison Report – Mr. Gunning reported on the 2040 master plan update, the next Commission meeting, and recent actions by the Mayor and Council.
- B.** Old Business – Commissioner Hill moved, seconded by Commissioner Hadley, to direct staff to produce and bring back a letter for review from the Commission to the Mayor and Council addressing the APFS exemption for senior housing and nursing homes from the transportation requirements. The motion passed, 7-0.
- C.** New Business - none
- D.** Minutes:

Commissioner Hadley moved, seconded by Commissioner Leiderman, to approve the February 24, 2016 minutes. The motion passed 6-0-1 (Commissioner Leiderman abstained).

Commissioner Leiderman moved, seconded by Commissioner Sherman, to approve the March 9, 2016 minutes. The motion passed 6-0-1 (Commissioner Goodman abstained).

Commissioner Leiderman moved, seconded by Commissioner Sherman, to approve the March 23, 2016 minutes. The motion passed 7-0.

E. FYI Correspondence – none

IV. ADJOURN

There being no further business to come before the Planning Commission, the meeting adjourned at 11:44 p.m.

Respectfully Submitted,

Andrew Gunning, Commission Liaison